

## REMARKS

### Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the opinion that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the above amendments to the claims and the following remarks.

### Claims Status

Claims 1, 3, 5-10, 12 and 13 are pending in this Application.

Claim 1 has been amended herein to add the limitations of Claim 4.

Claims 2 and 4 have been canceled herein because Claim 4 was dependent upon Claim 2 and Claim 1 has been amended to add the limitations of Claim 4.

Claim 3 has been amended herein to be dependent upon Claim 1 because of the cancellation of Claim 2.

Claims 5, 6 and 8 have been rewritten in independent form. Because this now presents two independent claims in excess of three, an additional fee of \$400.00 is paid concurrently with filing of this Response.

Claim 10 has been amended herein to add the limitation of Claims 2 and 4.

Claim 11 has been canceled herein since Claim 11 is essentially equal to Claim 2 and is now part of Claim 10.

#### Entry of Amendment After Final

Since independent Claims 1 and 10 have been amended to add the limitations of Claim 4, it is deemed that no new issues have been raised that would require further search and consideration and the amendments should be entered since, as discussed below, it is deemed that such amendment does place both Claims 1 and 10 in condition for allowance.

With respect to Claims 5, 6 and 8, these claims have been indicated as allowable if rewritten into independent form and, thus, Applicants respectfully submit that they have complied

with the Examiner's suggestion to present these claims in independent form and, as such, they are allowable.

The other amendments made herein are simply to conform the claims to the amendments made to Claims 1, 5, 6, 8 and 10.

Thus, it is respectfully submitted that these amendments should be entered.

#### Prior Art Rejection

Claims 1, 2, 7 and 10-12 have been rejected as being unpatentable over a combination of Ito and Togano, Claims 3 and 4 have been rejected as unpatentable over a combination of Ito, Togano and Borrell and Claims 9 and 13 have been rejected as being unpatentable over a combination of Ito, Togano and Hayashi.

In view of the amendments made to Claims 1 and 10, it is submitted that the first and third Prior Art rejection are now moot and the issue is the patentability of the claims over the combination of Ito, Togano and Borrell.

Borrell had been cited as teaching the limitations of Claim 4. Borrell teaches limiting or reducing the amount of ink deposited on a glossy medium. This is not the limitation of Claim 4. Claim 4 requires that, when the glossiness of the recording medium exceeds a predetermined value, the output coefficient of the toner curve is made smaller. The output coefficient affects each of the individual colors that are jetted onto the recording medium. Thus, it is the output of the toner curve that is made smaller based on a predetermined glossiness value.

Respectfully, Claims 1 and 10 are patentable over the teachings of Ito, Togano and Borrell taken alone or in combination.

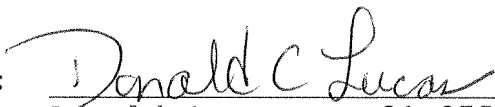
#### Conclusion

In view of the foregoing, it is respectfully submitted that the Application is in condition for allowance and such action is respectfully requested.

Should any further fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By:   
Donald C. Lucas, 31,275  
Attorney for Applicant(s)  
475 Park Avenue South, 15<sup>th</sup> Floor  
New York, New York 10016  
Tel. # 212-661-8000

DCL/mr